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JUL 20 2001

In re Application of
Gauselmann
Application No. 09/491,779
Filed: January 26, 2000
Attorney Docket No.: ADP231
For: METHOD FOR OPERATING A COIN
ACTUATED ENTERTAINMENT AUTOMAT

OFFICE OF PETITIONS
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:
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This is a decision on the petition under 37 C.F.R. § 1.137(b),
filed May 15, 2001, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTH** from mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 C.F.R. § 1.137(b)." This is not a final agency decision.

The application became abandoned on December 16, 2000 for failure to submit a proper reply to the final Office action, mailed September 15, 2000, which set a three (3) month shortened statutory period for reply. The amendment filed December 15, 2000 failed to place the application in condition for allowance as applicant was so notified by way of Advisory Action mailed January 11, 2001. No extensions of time for reply in accordance with 37 C.F.R. § 1.136(a) were obtained. Notice of Abandonment was mailed April 20, 2001.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) the required reply to the outstanding Office action or notice, unless previously filed;
- (2) the petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was

unintentional; and

(4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The present petition fails to satisfy requirement (1) above. Petitioner is entitled to submit a Request for Continued Examination ("RCE") as the reply required by 37 C.F.R. § 1.137(b)(1). The RCE submitted herewith fails to comply with the requirements of 37 C.F.R. § 1.114(a). A request for continued examination of an application must be accompanied by a submission and the required RCE fee. Petitioner has failed to provide the required submission. Accordingly, this application cannot be revived until a proper reply is submitted. Any renewed petition should be accompanied by a submission within the meaning of 37 C.F.R. § 114(c).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
 Box DAC
 Washington, DC 20231

By facsimile: (703) 308-6916

By hand: Office of Petitions
 2201 South Clark Place
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 Arlington, VA 22202

Telephone inquiries concerning this matter may be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310.

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